

**MEMO ENDORSED**

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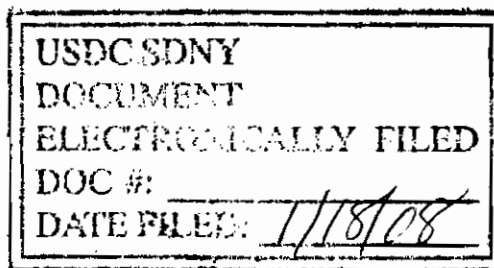
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January 17, 2008

**VIA FAX - (212) 805-7930**

Honorable James C. Francis IV  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1960  
New York, NY 10007



**Re: Nelson v. Roehrig Maritime LLC, et ano**  
**07 CV-6037 (JCF)**

Dear Judge Francis:

We represent plaintiff in the captioned action and write jointly with Edward P. Flood, Esq. of Lyons & Flood, LLP, attorneys for defendants, to respectfully request extensions of the dates for completion of fact and expert discovery listed in the Civil Case Management Plan dated August 27, 2007 signed by Judge McMahon. No prior requests for adjournments have been made by the parties.

This is a Jones Act case for personal injury sustained by Mr. Larry Nelson while he was serving as a deckhand aboard defendants' Tug ANABELLE. To date, plaintiff has been deposed and Rule 35 examinations on behalf of plaintiff and defendants have been completed. Additionally, the parties have exchanged preliminary disclosures and written discovery, including HIPAA medical authorizations and medical records.

The parties have scheduled depositions of the Captain and Mate of the Tug to be conducted on February 8, 2008, the first date when both men could be available for deposition here in New York. Additionally, a Rule 34 inspection of the Tug is expected to be completed on or about that date. Finally, it appears there may be one or two non-party witnesses employed at the time by a barging company who may have information and whom the parties may wish to depose.

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For the foregoing reasons, the parties respectfully request the Court extend the date for completion of all fact discovery to and including March 31, 2008, extend the date for plaintiff's expert disclosure to and including April 30, 2008, and that defendants' date for expert disclosure be extended to and including May 23, 2008. The parties believe the additional time is required to complete necessary discovery and to enable settlement discussions to progress, failing which a trial schedule can be established. Thank you for your consideration and we look forward to the Court's advices.

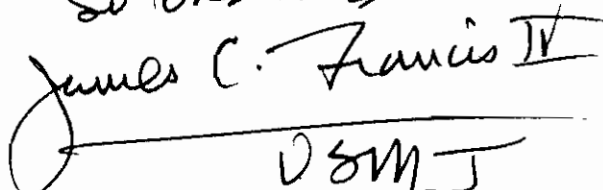
Respectfully,

FRIEDMAN & JAMES LLP

  
John P. James

JPJ:kk

cc: Edward P. Flood, Esq.  
Lyons & Flood, LLP  
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[Via Fax - 212-594-4589]

1/17/08  
Application granted.  
so ORDERED.  
James C. Francis IV  
  
DSM-J